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14 *VIZIO, Inc.*

15 UNITED STATES DISTRICT COURT
16 CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

17 OPLUS TECHNOLOGIES, LTD.,

18 Plaintiff,

19 v.

20 SEARS HOLDINGS CORPORATION;
21 VIZIO, INC.,

22 Defendants.
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CASE NO.: CV12- 5707 MRP (Ex)

Hon. Judge Mariana R. Pfaelzer

**DECLARATION OF CHARLES C.
KOOLE IN SUPPORT OF
DEFENDANT VIZIO, INC.'S
MOTION FOR PROTECTION
FROM SUBPOENA ISSUED IN
VIOLATION OF MULTIPLE
COURT ORDERS AND
PROHIBITING USE OF
SUBPOENAED DOCUMENTS**

DATE: June 17, 2013

TIME: 11:00 a.m.

PLACE: Courtroom 12

DECLARATION OF CHARLES C. KOOLE

I, Charles C. Koole, declare as follows:

1. I am an associate attorney in the law firm of Glaser Weil Fink Jacobs Howard Avchen & Shapiro LLP and I am an attorney of record for Defendant VIZIO, Inc. ("VIZIO") in the following action pending in the Central District of California: *Oplus Technologies, Ltd. v. Sears Holdings Corporation, et al.*, Case No. 2:12-cv-05707-MRP (Ex) (C.D. Cal.). I make this declaration on personal knowledge, and if called as a witness, I could and would testify competently thereto.

2. Attached hereto as Exhibit A is a true and correct copy of a Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action from Oplus Technologies Ltd. to Technology Licensing Corp., dated May 3, 2013.

3. Steven Hansen, also counsel for VIZIO in this case, and I participated in a telephonic meet and confer with Oplus counsel on Friday, April 19, 2013. During this phone call, Oplus counsel referred to the Court's April 3, 2013 as a "rogue order."

4. Attached hereto as Exhibit B is a true and correct copy of the Stipulated Protective Order entered on January 5, 2009 in the following action: *IP Innovation LLC, et al. v. VIZIO, Inc., et al.*, Case No. 1:08-cv-00393 (N.D. Ill.).

5. Attached hereto as Exhibit C is a true and correct copy of a May 15, 2013 letter from Arthur Gasey, which I received via email at 2:43 PM Pacific Standard Time on May 15, 2013.

6. Attached hereto as Exhibit D is a true and correct copy of Oplus' Infringement Contentions, which were served on August 9, 2012.

7. Attached hereto as Exhibit E is a true and correct copy of Oplus' First Amended Complaint (Dkt. No. 14), excluding exhibits attached thereto, which was filed on December 20, 2011.

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1 8. Attached hereto as Exhibit F is a true and correct copy of U.S. Patent No.
2 6,239,842.

3 9. Attached hereto as Exhibit G is a true and correct copy of U.S. Patent
4 No. 7,271,840.

5 10. Attached hereto as Exhibit H is a true and correct copy of this Court's
6 April 3, 2013 Order Re ECF Nos. 114, 115 (Dkt. No. 121).

7 11. Attached hereto as Exhibit I is a true and correct copy of relevant
8 excerpts of Defendant VIZIO, Inc.'s Supplemental Objections and Responses to
9 Plaintiff Oplus Technologies, Ltd.'s Amended Interrogatories (Nos. 1, 4, 7, 11, and
10 12), which were served on April 25, 2013.

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12 I declare under penalty of perjury under the laws of the United States that the
13 foregoing is true and correct to the best of my knowledge and belief.

14 Executed this 17th day of May 2013 in Los Angeles, California.

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Charles C. Koole